



THE ERIE COUNTY LEGISLATURE

Session No. 13

May 19, 2005

George A. Holt, Jr.
Chairman

Lynn M. Marinelli
Majority Leader

Michael H. Ranzenhofer
Minority Leader

Kevin M. Kelley
Clerk of the Legislature

ROLL CALL

INVOCATION – Ms. Marshall

PLEDGE OF ALLEGIANCE – Mr. Kennedy

RULES OF THE LEGISLATURE FOR 2005

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS

MARINELLI	Recognizing Mayor Jack E. Gallagher of the City of Tonawanda as Democrat of the Year
SMITH & HOLT	Honoring William Satcher Rollison For Being Named Student of the Month For the Month of April 2005
KENNEDY	Honoring Mount Mercy Academy For Celebrating 100 Years of Service to the Western New York Community
SMITH & HOLT	Recognizing Andy Herbert For His Outstanding Community Service Work in Western New York
DUSZA	Recognizing National Police Week That Observes Officers Throughout The Nation Who Have Made The Supreme Sacrifice In The Line Of Duty

LOCAL LAWS

REFERENCE

LL INT 10-1 7/8/2004	HOLT, MARINELLI, MINORITY CAUCUS, WROBLEWSKI	A LL Rel to Agreements for Management & Operation of Buffalo Zoological Gardens, Shea's, Kleinhans & Botanical Gardens	Community Services
LL INT 15-1 11/10/2004	McCARVILLE, MINORITY CAUCUS	A LL Defining Lobbyists & Their Retention by Erie County	
LL INT 17-1 11/17/2004	SMITH	A LL Defining How Large Retail Stores Will Be Regulated in Erie County	

LL INT 18-2 1/5/2005	SMITH & KENNEDY	A LL to Prohibit the Possession and/or Use of "Photo Phones" in Private Areas.
LL INT 2-1 1/12/2005	KENNEDY	A LL in Relation To a Requirement for Worker Training Programs by Contractors & Subcontractors Under Contract With The County of Erie
LL INT 7-1 3/30/2005	SMITH	The Local Law To Retain Jobs in NYS
LL INT 8-1 5/3/2005	HOLT, SMITH, DeBENEDETTI, & MARINELLI	A LL In Relation To Minority-Owned Business and Women-Owned Business Utilization Commitment By Persons Or Firms Contracting With EC For Supplies, Materials Equipment, Insurance, Professional or Other Consultant Services.
LL INT 9-1 5/12/2005	MAJORITY CAUCUS, RANZENHOFER, CHASE, CUSACK, MARSHALL, McCARVILLE, WEINSTEIN	A LL Amending LL No. 1-1959, as Amended, Constituting The EC Charter Section 1802 Thereof; and the EC Administrative Code Section 18.02 Sub. F With Respect To The Duty Of The County Executive To Submit A Budget & Capital Program To The ECL
LL INT 10-1 5/16/2005	KUWIK, ET AL	A LL Amending LL No. 2-1992, establishing a Probation Administrative Fee and Establishing An Electronic Monitoring Fee & a Drug Testing Fee In Erie County

COMMITTEE REPORTS

REPORT NO. 4 ECONOMIC DEVELOPMENT

REPORT NO. 6 ENERGY & ENVIRONMENT

REPORT NO. 5 GOVERNMENT AFFAIRS

REPORT NO. 7 FINANCE & MANAGEMENT

LEGISLATOR RESOLUTIONS:

REFERENCE

INTRO 13-1 WEINSTEIN Changes To The 2004 and 2005 Rules of Order

INTRO 13-2 WEINSTEIN Expanding The Use Of The Buffalo Fiscal Control Board To Benefit Erie County

INTRO 13-3 WEINSTEIN Erie County Niagara Power Project Relicensing Settlement from the New York Power Authority

INTRO 13-4	DUSZA	Support For Maintaining Current NYS Sales Tax Levy To Off-Set County Medicaid Costs
INTRO 13-5	KENNEDY	Concern Over Potential Dangerous Probation Ratios
INTRO 13-6	HOLT, SMITH, WROBLEWSKI, CUSACK & WEINSTEIN	Support For Upstate New York Transplant Services
INTRO 13-7	KENNEDY	Support For Fair Work At The Bass Pro Redevelopment Project
INTRO 13-8	SMITH	Establishment of the Erie County Integrated Settings Committee
INTRO 13-9	HOLT	Erie County Budget

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

<u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u>			<u>REFERENCE</u>
COMM. 13E-1	COMPTROLLER	Travel Reimbursement - Lawrence W. Smith	Government Affairs
COMM. 13E-2	COUNTY EXECUTIVE	Appointments to Charter Revision Commission	RFP
COMM. 13E-3	COUNTY ATTORNEY	County Executive Veto of Local Law Intro No. 4-2005	RFP
COMM. 13E-4	COUNTY EXECUTIVE	Notice of Approval of Local Law Intro No. 5-2005	RFP
COMM. 13E-5	COMPTROLLER	List of Possible Initiatives That Could Be Used To Develop Solutions To EC Fiscal Problems	Finance & Management
COMM. 13E-6	HOLT	Majority Caucus Appointment to the 2005 EC Audit Committee	RFP
COMM. 13E-7	RANZENHOFER	Minority Caucus Appointment to the 2005 EC Audit Committee	RFP
COMM. 13E-8	COUNTY EXECUTIVE	Fees Paid to Fluent Energy For 2004	Energy & Environment
COMM. 13E-9	COUNTY EXECUTIVE	DEP Booth At 2005 Erie County Fair	Energy & Environment
COMM. 13E-10	COUNTY EXECUTIVE	Personal Services Contract - Community Development Block Grant - Accounting Service	Energy & Environment
COMM. 13E-11	COUNTY EXECUTIVE	ECSD No. 6 - Emergency Repair - Inner Drive/Kennedy Road Sanitary Sewer	Energy & Environment
COMM. 13E-12	COUNTY EXECUTIVE	ECSD No. 2 - Personnel Request - 2005 Budget	Energy & Environment
COMM. 13E-13	COUNTY EXECUTIVE	Purchasing Policy & Procedures	Government Affairs
COMM. 13E-14	COUNTY EXECUTIVE	Probation & CPS - Juvenile Accountability Block Grant Contract With NYS Division of Criminal Justice Services	Public Safety
COMM. 13E-15	COUNTY EXECUTIVE	Probation and Youth Detention Services - Adjustment in Out-Of-Area Travel Account	Public Safety
COMM. 13E-16	COUNTY EXECUTIVE	Mental Health - Transfer of Funds - 2005 EC Assessment For Membership in the NYS Conference of Local Mental Hygiene Directors	Community Services

COMM. 13E-17	COUNTY EXECUTIVE	Senior Services - Authorization To Amend The Retired & Senior Volunteer Program (RSVP) & The Expand Home Service For The Elderly Grant Budgets (EISEP)	Community Services
COMM. 13E-18	COUNTY EXECUTIVE	Dunn Tire Park, County Lease - Capital Improvements	Economic Development
COMM. 13E-19	COUNTY EXECUTIVE	ECSSTA - Energy Performance Contract - Change Order No. 2	Energy & Environment
COMM. 13E-20	COUNTY EXECUTIVE	ECSSTA - Energy Performance Contract - Change Order No. 1	Energy & Environment
COMM. 13E-21	COUNTY EXECUTIVE	DEP - Sewerage Management - Engineering Agreement Close-out - Agreement Dated 11/02/95 - TVGA Engineering, Surveying, P.C.	Energy & Environment
COMM. 13E-22	COUNTY EXECUTIVE	Diesel School Bus Education Initiative	Energy & Environment
COMM. 13E-23	COUNTY EXECUTIVE	WNY Stormwater Management Implementation Project Consultant Services	Energy & Environment
COMM. 13E-24	COUNTY EXECUTIVE	Child Passenger Safety Grant - Revision for 2004-2005	Public Safety
COMM. 13E-25	COUNTY EXECUTIVE	EC Courts Master Plan Implementation Renovations Building Project Security Enhancements	
COMM. 13E-26	COMPTROLLER	Naples v. Erie County, et al - Proposed Settlement	
COMM. 13E-27	COMPTROLLER	Revenue Anticipation Note Resolution	Finance & Management

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE

COMM. 13D-1	DEP	SEQR - Negative Declaration - Utica & Quebec Streets, West Taft Avenue, & Point Breeze Drive, Town of Evans	Energy & Environment
COMM. 13D-2	BUDGET, MANAGEMENT & FINANCE	BMR For Period Ending 3/31/05	Finance & Management
COMM. 13D-3	BECPL	Copy of Letter to Budget Director Re: Request For Assistance in Securing Bond Authorization	Community Services
COMM. 13D-4	COUNTY ATTORNEY	Certified Copy of Local Law No. 3 - 2005	RFP
COMM. 13D-5	COUNTY ATTORNEY	Transmittal of New Claim Against EC	R&F

COMM. 13D-6	COUNTY ATTORNEY	Certified Copy of Local Law No. 4-2005	RFP
COMM. 13D-7	ECC	Notice of Board of Trustees Meeting To Be Held 5/18	R&F
COMM. 13D-8	COUNTY ATTORNEY	Transmittal of New Claim Against EC	R&F
COMM. 13D-9	ECC	Agenda of Board of Trustees Meeting To Be Held 5/18	R&F
COMM. 13D-10	COUNTY ATTORNEY	Transmittal of New Claims Against EC	R&F
COMM. 13D-11	SOCIAL SERVICES	Memo to Holt Re: Intro 9-1, Resolution & Social Services Revision	Community Services
COMM. 13D-12	BECPL	Proposed Agenda of Board Of Trustees Meeting To Be Held 5/19/05	R&F
COMM. 13D-13	COUNTY ATTORNEY	Filing Receipt From The Dept. of State - LL No. 3-2005 - Regulation of Home Health Care Aides	RFP
COMM. 13D-14	DPW	Proposed Weights & Measures Resolution	Economic Development

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE

COMM. 13M-1	CHEEKTOWAGA TOWN BOARD	Copy of Certified Resolution Re: Opposition to Regional Police Force	R&F
COMM. 13M-2	CRAIG W. TURNER	Notice of Resignation as First Administrative Assistant	R&F
COMM. 13M-3	HARRY V. WAHL	Notice of Resignation as Minority Chief-of-Staff	R&F
COMM. 13M-4	CHRISTOPHER J. DUQUIN	Notice of Resignation as Administrative Assistant	R&F
COMM. 13M-5	SCOTT MARCHANT	Notice of Resignation as Executive Assistant	R&F
COMM. 13M-6	NFTA	NFTA Board Minutes For Meeting Held 4/2105	R&F
COMM. 13M-7	EC MENTAL HYGIENE COMMUNITY BOARD	Notice & Agenda of Board Meeting To Be Held 5/19/05	R&F
COMM. 13M-8	CHILD & FAMILY SERVICES HAVEN HOUSE	Letter to Legislator Marinelli Re: Results of Budget Cuts on Domestic Violence	Government Affairs
COMM. 13M-9	PROBATION SECTION, CSEA LOCAL 815	Federal Funding For Gang Suppression	Public Safety

COMM. 13M-10	EC ENVIRONMENTAL MANAGEMENT COUNCIL	Notice & Agenda of Meeting Held 5/17/05	R&F
COMM. 13M-11	LAWRENCE W. SMITH & JOSEPH R. CIFFA	Creation of Division of Billing & Receivables Management	Government Affairs
COMM. 13M-12	EDEN TOWN BOARD	Copy of Certified Resolution Re: In Support of Long-Term Fire Training Center	R&F

MEMORIAL RESOLUTIONS:

ADJOURNMENT: